

## **2 ALTERNATIVES CONSIDERED**

### **2.1 ALTERNATIVE ACTIONS**

Three potential alternative actions have been identified during this process: a No-Build alternative, an upgrade of existing facilities alternative, and a Build alternative. The identified alternative actions are described in the following sections.

#### ***2.1.1 No-Build Alternative***

The No-Build Alternative would involve no new construction or upgrade of existing facilities. As a result, no new environmental impacts would occur. No construction costs would be incurred. The existing four facilities would remain in operation, current problems would not be alleviated, and conditions for users would continue to degrade.

As previously stated, the current facilities in the Litchfield JD do not meet the basic needs and functions of the area. In fact, certain cases must currently be assigned to other districts, just to maintain viability within the district. Due to the limited number of courtrooms and lack of appropriate waiting areas, the courthouse buildings are overcrowded and confidentiality and security are compromised. Wait times are extensive, delaying the judicial process. Therefore, in order to meet current and future demands and provide adequate facilities, this alternative is not considered to be feasible.

#### ***2.1.2 Upgrade of Existing Facilities Alternative***

The upgrade of any or all of the four existing Litchfield JD facilities to meet the current needs of the District has been evaluated. The four facilities comprise approximately 39,000 SF of space, which is significantly less than the approximate 160,000 SF area that is required for a consolidated facility within the District, based on case load estimates. Therefore, there would need to be approximately 120,000 SF of additional space added to the existing facilities.

This is infeasible as three of the facilities are not within the control of the State (i.e. they are leased facilities). The fourth, the JD Courthouse in Downtown Litchfield, cannot be significantly expanded due to lack of available adjacent space. Supplemental leased sites would fracture operations even more than current conditions, further impacting inefficiencies. For these reasons, the upgrade of existing facilities to meet the current needs of the Litchfield JD is not considered a viable alternative to the Proposed Action.

#### ***2.1.3 Build Alternative***

Two options were evaluated for the Build Alternative:

1. Alternative sites outside the City of Torrington; and
2. Alternative sites within the City of Torrington.

#### *2.1.3.1 Alternative Sites outside the City of Torrington*

Constructing the courthouse outside of Torrington fails to meet the purpose and need for the project and fails to fulfill the legislative mandate. As such, this option has been eliminated from further consideration in this EIE.

#### *2.1.3.2 Alternative Sites within the City of Torrington*

Building the Judicial District Courthouse in the City of Torrington meets the purpose and need and is consistent with the legislative act which provided the funding for courthouse development. Torrington's status as a Regional Center, its centralized location in the District, and its accessibility from several major transportation routes provide an appropriate location for such a regionally important structure.

##### *2.1.3.2.1 Controlled Sites*

Judicial Branch has no controlled (care and custody) sites within Torrington and the existing courthouse sites would not meet the purpose and need. Therefore, the "controlled sites" alternative is not viable.

##### *2.1.3.2.2 Reasonably Available Sites*

To determine what and how sites would be classified as reasonably available, the JB and DPW went through a detailed and comprehensive screening process, as described in forthcoming sections of this EIE.

The State of Connecticut DPW advertised an "Invitation to Submit Proposal for Sale of Land" in the City of Torrington, CT in September, 2004. The following criteria were listed for the proposed courthouse development as part of this RFP:

- A net buildable area of at least 3.75 contiguous acres on one parcel or a minimum of 2.75 contiguous acres with a 1 acre parcel within 500 feet (ft);
- Frontage on a public street or highway having adequate capacity to carry courthouse traffic;
- Located in an area zoned for non-residential uses, with preference given to sites within close proximity to public transportation and other than high-density residential areas;
- Served by public utilities, including water and sewer systems with sufficient capacity (minimum of 8 to 12" water main with 1500 gallons per minute (gpm) and 6 to 8" sewer lateral);
- Reasonably be free from physical encumbrances that could limit development;
- Shaped and bounded in a configuration suitable for the construction of a structure containing a 30,000 SF footprint and surface parking for approximately 400 cars or a parking garage; and
- Have no more than a 5% slope.

Proponents with sites for sale were required to submit information regarding the parcel, including a site survey, topographic map, a map depicting any special physical characteristics, information regarding all owners and those with beneficial interest (including gift affidavits), names of abutters, a description of liens, mortgages,

easements, and any other legal encumbrances, a price proposal, and any existing reports and permits.

Based on the response to the DPW's RFP, each site proposal submitted was reviewed by the Site Selection Committee (comprised of JB and DPW staff) and a site visit was conducted by the committee members to determine if the site met the requirements as set forth in the RFP. Table 2-1 (with sites listed in no specific order) presents the proposals submitted for potential sites for the Proposed Action. Figure 2-1 shows the general location of the nine sites submitted in response to the RFP.

General information was collected regarding the following issue areas for each site and is presented herein:

- Parcel size and orientation;
- Land use and zoning;
- Physical, natural, and cultural resources onsite;
- Utilities;
- Tax assessment;
- Consistency with the State Plan of Conservation and Development; and
- Potential for contaminated materials on the site.

**Table 2-1. List of Proposals Submitted for Potential Courthouse Sites.**

<b>Site No.</b>	<b>Site Name</b>	<b>Owner/Proposer</b>	<b>Location</b>
1	Nickerson Site	N & L Associates	Intersection of Winsted Rd./Burr Mountain Rd.
2	Chadwick Site	Summer Street Partners	Cameron, Summer, High Streets
3	Norwood Street Site	616 Main Street Assoc. & 75 Winsted Rd. Assoc.	52 Norwood St. (bounded by Forest and Norwood Sts., Route 4)
4	Timken Site	The Torrington Company	59 Field Street and adjacent parcel across Clark St.
5	O & G Site	O & G Industries	Kennedy Drive/Alvord Park Rd. (between Boy Scouts and One Commerce Center)
6	Nidec Site	Nidec America Corp.	70 Franklin Drive
7	Ricci Site	Joseph & Marilyn Ricci	341, 371 Pinewoods Rd.
8	PRAX Site	RKX LLC, PRAX LLC, Carolle Jenkins, Dennis Gouey, and City of Torrington	408, 422, 432, 442, 452, 456 Main Street, Grove Street
9	Kelley Site	Kelley Realty Company and City of Torrington	136 Water St. and adjacent municipal parking lot across John St.

**Figure 2-1.**

## **2.2 POTENTIAL ALTERNATIVE SITES**

Unless otherwise indicated in the following sections, all information regarding the potential properties was taken from the proposals submitted by the property owners. Information regarding the general setting of the sites and adjacent land uses provided herein is based on field investigations of the properties. Issues which required additional research are indicated herein and information provided as appropriate. Information regarding historic properties and other cultural resources is included in Appendix A and summarized in this section. Information regarding hazardous materials and the potential for site contamination are presented in Appendix B and summarized in this section as well. All assessment information came directly from tax records and Assessor's databases at the City of Torrington.

### **2.2.1 Site No. 1 –The Nickerson Site**

#### **2.2.1.1 General Description**

The property offered as Site No. 1 (the Nickerson site) consists of 5.13 acres located at the corner of Winsted Road and Burr Mountain Road (Photos 2-1 through 2-4 and Figure 2-2). Access to the site is provided via Winsted Road (State Route 800). According to their route map and schedule, the Candystriper bus system passes this site and could be utilized as a transit option for access (Kelley Transit, 2005). No sidewalks or bikeways are located along or in the vicinity of this site, based on mapping provided and field observations.

The Nickerson site is owned by N & L Associates and consists of two parcels. According to the survey prepared for the property, Parcel No. 1 (2965 Winsted Road) is 0.60 acres and Parcel No. 2 is 18.008 acres. The first parcel would be sold in its entirety, while the latter parcel would be subdivided with a 4.53 acre parcel (Parcel 2a) sold to the State and the remainder retained by the current owner. The combination of Parcels 1 and 2a is depicted on Figure 2-2. According to the proposal submitted, additional acreage could also be provided if required for the Courthouse design.

A review of topography of the proposed property based on the topographic survey provided (dated 1988) indicates that the western portion of the property has slopes in excess of 20%, which fails to meet the criteria set forth in the RFP. Thus, additional acreage or redelineation of the proposed subdivision of Parcel 2 may be required.

#### **2.2.1.2 Zoning, Land Uses, Tax Assessment, and Consistency with State Plan of Conservation and Development**

Parcel No. 1 is zoned as Local Business and currently is occupied by a single family home and a three car garage (Photo 2-2), while the larger parcel, which is zoned Industrial, is currently vacant and formerly was the site of a drive-in movie theater (Photo 2-1). Steel and tires are being stored on portions of the site (Photo 2-3). Adjacent land uses include industrial, commercial, and residential uses. Haynes Aggregates operates a quarry to the north of the site (Photo 2-4). A real estate company and a liquor store are



**Photo 2-1. Nickerson Site, Looking North – Abandoned Drive-In Theater Area.**



**Photo 2-2. Looking West at the Corner of Winsted and Burr Mountain Roads – Existing Residential Home Onsite.**



**Photo 2-3. Nickerson Site, Facing Northeast – Existing Steel and Tire Storage Onsite.**



**Photo 2-4. Adjacent Land Use North of Nickerson Site – Haynes Aggregates.**

**Figure 2-2.**



located to the south and east of the site. Adjacent properties along Burr Mountain Road are residential, including the Milo Burr House, constructed in 1827, which abuts the site to the northwest. The Paugnut State Forest and Burr Pond State Park are also in the vicinity, to the south of the site across Burr Mountain Road.

According to the Assessor's data, the smaller residential parcel is appraised at \$133,400 and assessed at \$93,400. The larger drive-in parcel (all 18+ acres) is appraised at \$196,400 and assessed at \$137,500. Only a portion of this large parcel would be purchased for the courthouse site, as previously discussed. The proposal submitted indicates that there are no liens or encumbrances on either of the parcels.

According to the *Recommended Conservation and Development Policies Plan for Connecticut 2005-2010* and its associated *Locational Guide Map* (Office of Public Management, OPM; 2005), the Nickerson site is located within a Growth Area, and is in the vicinity of Existing Preserved Open Space and Preservation Areas. Growth Areas are listed as Development Priority 3, on a scale of 1-4 (1=highest priority, 4=lowest). These areas are designated for "high priority and affirmative support toward concentration of new growth...into specified areas capable of supporting large-scale, mixed uses and densities in close relationship to the Regional Centers". The latter two classifications mentioned above are not development priority areas. A scoping comment letter from OPM indicated that this site appears to be consistent with the State Plan of Conservation and Development, although agency preference would be for a facility of such regional significance to be sited in or adjacent to a Regional Center (Development Priority 1).

#### *2.2.1.3 Utilities*

Electric, telephone, water, and sewer services are located along Winsted Road. No information was provided relative to gas service availability. The water line passing the site along Winsted Road is 8" and the sewer line along Winsted Road in this area appears to be 12", according to the mapping submitted in the sale proposal.

#### *2.2.1.4 Natural Resource Features*

The site as it is currently delineated is approximately 75% forested and 25% open lot. The open area was access and parking for the drive-in theater. The predominantly grassy vegetation in the open areas is short and the ground is gravelly. The forested area is second-growth with a high proportion of black locust and cottonwood, with some paper birch and white ash.

This site provides average habitat resources for wildlife species that are adapted to living in close proximity to humans. Habitat quality is a function of the unremarkable cover-types and the adjacent Winsted Rd and Burrville neighborhood, which contribute moderate amounts of human disturbance to the site.

Although there is a delineated floodplain area of the Still River to the east of the parcel, across Winsted Road, the parcel itself is not part of the floodplain. There is however a limited wetland area located in the lower part of the forested area at the southern end of

the parcel (Figure 2-2). A drainage swale along the western edge of the former parking lot also supports a long, narrow wetland area on the northern side of the parcel.

Groundwater at the site has been classified as GA by the State, which denotes an area with existing private water supply wells or the potential for use as an area of public or private water supply wells.

#### *2.2.1.5 Cultural Resource Features*

No National Register listed historic properties are located on the site. The nearest listed property is the Paugnut Forest Administration Building on Burr Mountain Road (National Park Service, 2005). A plaque marking the location of the first condensed milk factory was also noted on Burr Mountain Road, across the road from the property, during a field investigation.

#### *2.2.1.6 Site Contamination Status*

Research of hazardous waste sites with the potential to impact the Nickerson site was conducted using *Environmental FirstSearch<sup>TM</sup>* software, which provides access to a central database of environmental data compiled from numerous federal, state, and local databases. Sites identified in the database search that were deemed to have the potential for impacting the site were investigated further at the Connecticut Department of Environmental Protection (DEP) file room.

There are no records of spills, releases, or other sources of hazardous waste or materials at the Nickerson site. Two incidents occurred near the site and are listed as follows: 1) a 30-gallon spill of fuel oil to the ground surface and surface water; and, a 1-pint spill of motor vehicle fluids, both due to motor vehicle accidents. Neither of these incidents is expected to have impacted the site, as they were located outside of the direct drainage area to the site.

The site was once a former drive-in theater and, as such, there is the potential for minor surficial oil contamination due to crankcase oil leakage over the years. Because usage of the site was seasonal, the total amount of oil and other motor vehicle liquids is expected to be minor. If this site were selected, surficial testing of soils may be warranted; however, the overall potential for site contamination that would require special handling is low.

### **2.2.2 Site No. 2 –The Chadwick Site**

#### *2.2.2.1 General Description*

The property proposed for sale consists of 3.2 acres, and 1+ acre of rights-of-way across the abutting westerly property, plus a proposed 0.85 acres of abutting land to the east, the last of which is currently owned by the State of Connecticut (Figure 2-3). No Purchase

**Figure 2-3.**

Agreement for the State of Connecticut parcel was provided as part of the proposal. The saleable property is owned by Summer Street Partners of Goshen, CT. Access to the parcel would be provided by Summer Street or via the Litchfield Street right-of-way.

However, the right-of-way is only 20 feet wide which is inadequate for providing two-way vehicular access. This right-of-way must also be maintained in the future to provide access to other parcels in this block, since access from High, Summer, and Cameron Streets is restricted by retaining walls and the recessed nature of the properties (Photo 2-5). The site is pedestrian accessible with sidewalks on the surrounding approaches. The site is also located along a Candystriper bus route, according to the route map (Kelley Transit, 2005). A review of limited topographic information provided, in conjunction with City mapping indicates that limited areas of the site may exceed the 5% slope requirements.



**Photo 2-5. View from High Street, Looking Southeast – Existing Bordering Industrial Development and View to Chadwick Site (far left).**

Based on the developable portion of the property and the fact that no sale agreement is in place for the State owned acreage, the site does not meet the minimum size requirement set forth in the RFP. Thus, it has been removed from further consideration in the site selection process.

#### *2.2.2.2 Zoning, Land Uses, Tax Assessment, and Consistency with State Plan of Conservation and Development*

The Chadwick site is zoned General Business. Three industrial buildings are located on the property which would require demolition prior to courthouse construction. Based on field review of the area, existing adjacent land uses include high density residential uses to the west and south, a strip mall to the north across Summer Street which includes a department store, supermarket, restaurants, other retail businesses, and other industrial development surrounding the existing property. A rail line is located to the east of the property.

According to the Assessor's data, the property is appraised at \$924,600 and assessed at \$647,400. The proposal submitted indicates that there are no existing liens or mortgages and that standard utility easements exist for the property. The 20 ft wide right-of way used for access to Litchfield Street also crosses the property to provide access to the adjacent industrial parcel. This is the sole source of access for this parcel and would need to be maintained. The owners of that parcel are also entitled access to the railroad spur which borders the Chadwick site, according to the deed for the Chadwick property.

According to the *Locational Guide Map* (OPM, 2005), the site is located within and is surrounded by a Regional Center, which is Development Priority 1 (the highest priority). This particular classification is listed as the "highest priority for affirmatively supporting the rehabilitation and further development toward revitalization of the economic, social, and physical environment of Regional Centers". As mentioned previously, OPM has indicated in scoping period comments that it supports the development of such an important facility in the Regional Center and that such a location would be consistent with the Plan.

#### *2.2.2.3 Utilities*

According to the proposal submitted, the site has access to all of the required utilities, namely telephone, gas, electric, water, and sewer. No information was provided in the sale proposal regarding utility sizes. Based on review of available historic City mapping, it appears that the site is serviced by a 6" water main, 8" sewer line, and 8" gas line, as well as telephone and electric.

#### *2.2.2.4 Natural Resource Features*

The site is completely developed with industrial structures and paved areas. Due to the development, no potential for wetlands exist on the site. In addition, the site is not located within floodplain limits. The limited amount of vegetation on the site provides minimal habitat value, even for wildlife species typically associated with urban areas.

#### *2.2.2.5 Cultural Resource Features*

No National Register listed historic properties are located on the site or in the vicinity, according to the National Register database (National Park Service, 2005). The site is within a few blocks of the National Register listed Downtown Torrington Historic District.

#### *2.2.2.6 Site Contamination Status*

The Chadwick site is located in and adjacent to an area that has historically been used for industrial purposes. The adjacent Stone Container facility was involved in the production of cardboard containers for several decades. Other existing industrial uses at and near the site create a high potential for encountering contamination at this site.

### *2.2.3 Site No. 3 –The Norwood Street Site*

#### *2.2.3.1 General Description*

The site is located along Norwood Street, bounded by Norwood Street to the west, Route 4 to the north, Forest Street to the south, and The Torrington Co. (Timken) and a property currently owned by the Boston and Maine Corporation to the east (Figure 2-4).

Approximately 985 feet of frontage is provided along Norwood Street. Potentially, with site changes, access could also be provided via Route 4 or Forest Street. A sidewalk runs along the east side of Norwood Street, the north side of Forest Street, and the south side of Route 4 adjacent to the site, which could facilitate pedestrian access. According to their route map, the Candystriper bus system also passes in the vicinity of this site and would detour to drop passengers at this site if requested (Kelley Transit, 2005).

The proposed property is narrow and rectangular in shape, consisting of three parcels totaling approximately 4.073 acres (including Parcel C, which is subject to purchase by the parties submitting the proposal). Parcel “A” (2.965 acres) is owned by 616 Main Street Associates, LLC. Parcel “B” (0.677 acres) is owned by 75 Winsted Road Associates, LLC. Parcel “C” (0.431 acres) is subject to a Purchase and Sale Agreement dated November, 2004, between Boston and Maine Corporation (Seller) and 616 Main Street Associates, LLC (Buyer). No confirmation of purchase of Parcel C was provided with the proposal.

According to the topographic survey submitted with the proposal, portions of the site do not meet the 5% slope criteria. Limited portions of Parcels A and B exceed this criteria and most of Parcel C exceeds this criteria.

Without Parcel C, the property fails to meet the size criteria. Since no confirmation of purchase was provided with the proposal, the Norwood Street site is excluded from further consideration.

#### *2.2.3.2 Zoning, Land Uses, Tax Assessment, and Consistency with State Plan of Conservation and Development*

The property is zoned Industrial. Currently, the site is an industrial complex, with one and two-story buildings comprising over 90,500 SF (Photos 2-6, 2-7). Based on site review and the proposal submitted, current businesses onsite are primarily light industrial and machine shops with associated material storage. Businesses in operation would require relocation and the existing structures would need to be razed prior to construction of the courthouse facility. Adjacent land uses include residential homes to the west and south, industrial uses to the east, and residential and commercial uses to the north.

**Figure 2-4.**



**Photo 2-6. Norwood Street Site Facing Northeast – Existing Facilities in Operation.**



**Photo 2-7. Norwood Street Site Facing South – Existing Structures and Parking.**



According to the Assessor's data, Parcel A is appraised at \$811,600 and assessed at \$568,100. Parcel B is appraised at \$73,200 and assessed at \$51,200. No Assessor's information was located regarding Parcel C. According to the proposal submitted, Parcel A is subject to an existing first mortgage to People's Bank. Parcel A also has existing utility easements to the State for sewer and storm sewer utility crossings at the center of the site from Norwood Street southeastward across the property.

According to the *Locational Guide Map* (OPM, 2005), the site is located within a Regional Center, which is Development Priority 1 (the highest priority). This particular classification is listed as the "highest priority for affirmatively supporting the rehabilitation and further development toward revitalization of the economic, social, and physical environment of Regional Centers". To the north is a Neighborhood Conservation Area which is also a development priority area. Again, OPM has indicated in scoping period comments that it supports the development of such an important facility in the Regional Center and that such a location would be consistent with the State Plan of Conservation and Development.

#### *2.2.3.3 Utilities*

According to the proposal submitted, water, sewer, electrical, and gas utilities currently serve the site. A 15" storm sewer also runs through the site along an easement. An 8" sewer runs along Norwood Street and a sewer easement for the 8" line crosses the site, according to the survey provided. A gas line runs along Norwood Street, with a shut-off at the existing building onsite. Water is also available from Norwood Street. Electrical includes a dedicated line which runs from the Franklin Street substation directly to the property. Telephone service is also provided to the property.

#### *2.2.3.4 Natural Resource Features*

The site is primarily developed, with limited landscaped and grass areas and a few trees. Again, due to the extent of development, habitat value at this site is limited, with only typical urban species likely to occur. There are no wetlands present on the site, nor is the site within a floodplain area.

#### *2.2.3.5 Cultural Resource Features*

No National Register listed historic properties are located on or immediately bordering the site. The National Register listed Migeon Avenue Historic District is located within a few blocks of the site.

#### *2.2.3.6 Site Contamination Status*

Research of hazardous waste sites with the potential to impact the Norwood Street site was conducted using *Environmental FirstSearch<sup>TM</sup>* software, which provides access to a central database of environmental data compiled from numerous federal, state, and local databases. Sites identified in the database search that were deemed to have the potential for impacting the site were investigated further at the DEP file room.

The site has a history of industrial usage dating back to the 1890's. Eagle Bicycle Company, Progressive Manufacturing Company, the Torrington Standard Plant, Allied

Products Corporation, Pheoll of New England, and the Zeller Tire Company have all occupied the site (HRP Associates, Inc.; 2002). The site is now owned by 616 Main Street Associates, LLC and 75 Winsted Road Associates, LLC and a portion of the building appears to be occupied by Torrington Winnelson Co. Plumbing & Heating Supplies and Pete's Tire Barn, Inc. The site is listed as a Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) database site and a state Hazardous Waste Site.

A report (HRP Associates, Inc.; 2002) was prepared that detailed the investigations and remedial actions on the Norwood Street site. Subsurface investigations of soil and groundwater were conducted on the site to determine the extent and levels of contamination present in these media. Contaminant levels were compared to the DEP's Remediation Standard Regulations (RSRs) to determine if site cleanup and/or Environmental Land Use Restrictions (ELURs) would be warranted. Approximately 20 cubic yards of soil on the site was found to exceed the RSR criteria and were removed from the site in October 2002. In addition, an asbestos survey of the Zeller Tire building on the site (616 Main Street) in 2005 (AEC Applied Environmental Control, LLC) stated that the building contains a significant amount of asbestos-containing material (ACM) in the form of pipe insulation, window glazing, floor tile and underlayment, and duct installation that would need to be removed from the structure prior to demolition.

In 1995, the US Environmental Protection Agency (EPA) completed an assessment of the Applied Products property and made a "No Further Remedial Action Planned" decision. This decision means that the site does not qualify to be on the National Priority List (NPL); however, it does not mean that the site is necessarily free of contamination that may require remediation.

Because of the site's industrial past and current records as stated above, the overall potential for encountering site contamination on this property is high. An Environmental Assessment in accordance with the Connecticut Transfer Act would be required if this site were sold to the State of Connecticut.

## ***2.2.4 Site No. 4 –The Timken Site***

### ***2.2.4.1 General Description***

Owned by the Torrington Company, the proposed site is located at 59 Field Street, at the intersection of Field Street and Clark Street (Figure 2-5). Access to the parcel is provided by either Field or Clark Streets. The 59 Field Street Parcel is 2.3 acres in extent. Additional land from a 3.2 acre site has also been offered along Field Street, across Clark Street, which is also owned by the Torrington Company. The site has sidewalks allowing for pedestrian access and is within easy walking distance of the Candystriper bus system route, as illustrated by their route map (Kelley Transit, 2005).

Based on a review of the City's topographic mapping at 2-ft contour intervals, the site, limited areas of the northern portion of the current parking lot site exceed 5% slopes. Small landscaped portions of the main parcel also exceed the slope criteria. In general, however, the site is relatively flat.

**Figure 2-5.**

#### *2.2.4.2 Zoning, Land Uses, Tax Assessment and Consistency with the State Plan of Conservation and Development*

The property is zoned Industrial. Currently, an existing 43,587 SF corporate headquarters building (Photo 2-8) and associated parking occupy the 2.3 acre parcel (Photo 2-9). The additional parcel offered for parking is currently paved parking for employees of Timken facilities. Adjacent properties and properties in the vicinity include residential uses, as well as industrial properties (Timken).

Based on the Assessor's data, the 59 Field Street parcel is appraised at \$1,934,500 and assessed at \$1,354,200. The current parking lot parcel, of which only a portion would be required, is appraised at \$218,300 and assessed at \$152,800. The deed to the property also indicates utility easements present on the property.

According to the *Locational Guide Map* (OPM, 2005), the site is located within and surrounded by a Regional Center, which is Development Priority 1 (the highest priority). This particular classification is listed as the "highest priority for affirmatively supporting the rehabilitation and further development toward revitalization of the economic, social, and physical environment of Regional Centers". Based on OPM comments, this location appears to be consistent with the State Plan of Conservation and Development.

#### *2.2.4.3 Utilities*

According to the proposal submitted, the site is served by the municipal sewer system and receives its water from the Torrington Water Company. Gas, electric, and telephone services are also provided to the site.

#### *2.2.4.4 Natural Resource Features*

The main parcel is covered by the existing building, sidewalks, access, and parking, and landscaped areas. The northern parcel along Field Street is already completely paved and functioning as a parking lot. Thus, habitat value is minimal, even for typical urban species. Existing trees in landscaped areas could provide habitat for species such as squirrels and birds. There are no wetlands located on this site, and it is not located within a floodplain.

Groundwater at the site has been classified by the State as GB, which denotes a historically urbanized area or area of intense industrial activity. There are groundwater quality issues onsite caused by an upgradient release of chlorinated solvents, but this area is served by public water.

#### *2.2.4.5 Cultural Resource Features*

No National Register listed historic properties are located on the site. The nearest listed properties are the James Aldis House at 355 Prospect Street, and the Downtown Torrington and Migeon Avenue Historic Districts, all of which are within a few blocks of the site according to the National Register online database and information provided by the Torrington Historical Society (National Park Service, 2005).



**Photo 2-8. Timken Site Facing West – Existing Structure.**



**Photo 2-9. Timken Site Facing South – Existing Parking Facilities.**

#### 2.2.4.6 Site Contamination Status

Research of hazardous waste sites with the potential to impact the Timken site was conducted using *Environmental FirstSearch*<sup>TM</sup> software, which provides access to a central database of environmental data compiled from numerous federal, state and local databases. Sites identified in the database search that were deemed to have the potential for impacting the site were investigated further at the DEP file room.

The Timken Site, 59 Field Street, is the site of the former Corporate Building of the Torrington Company, which has been there since 1970. From 1971 to 1976, a portion of the site was occupied by an auto parts store. The Corporate Building was constructed in 1970, thus the auto store is presumed to have been located on the western portion of the site, which was developed into a parking area after 1976. Prior to 1970, and as far back as 1891, the site was mainly residential, with a portion of the site being occupied by a commercial cleaners and dyers from 1941 to 1961. The Corporate Building is a 43,587-square foot, two-story office building. Activities conducted there consisted of general office and administrative duties, and microfiche developing that generated ammonia and photo developing solution wastes. These wastes were brought from the Corporate Building to the Excelsior Plant across Field Street, where they were collected for off-site hazardous waste disposal by a licensed hauler.

The parking lot across Clark Street, which is also being offered to the State of Connecticut, has long been a parking lot and prior to that contained a residential neighborhood according to Litchfield Historical Commission records.

HRP Associates, Inc. (HRP) conducted a Phase II Subsurface Investigation of the Torrington Company Corporate Headquarters property located at 59 Field Street (HRP, 2003). The Phase II scope of work consisted of the installation of exterior test borings and groundwater monitoring wells, and collection and laboratory analysis of soil and groundwater samples. The findings of this study are as follows:

- The Corporate Building appeared to meet the definition of an “establishment” pursuant to the Connecticut Transfer Act due to the generation of over 100 kg/month of waste photo developing solution containing waste silver from 2000-2001;
- No evidence of a release of petroleum or hazardous materials at the Torrington Company Corporate Headquarters was identified;
- Soil samples exhibited background levels of several total metals, no leachable metals, no extractable total petroleum hydrocarbons (ETPH), no ammonia, no volatile organic compounds (VOCs), and trace levels of polycyclic aromatic hydrocarbons (PAHs) well under applicable remediation criteria;
- Groundwater samples exhibited no ETPH, no ammonia, and no dissolved metals; and,
- The site groundwater exhibited concentrations of chlorinated solvents that exceed the present criteria. There is no record of use of these substances at the Corporate Headquarters building, thus these substances are believed to originate from an

upgradient, off-site source, possibly the former Torrington Company Excelsior Plant, where chlorinated solvents were used historically in degreasing operations.

Due to the age of this building, ACM and lead-based paint may be present throughout the building. Prior to any renovation or demolition of this building, a thorough building inspection by a Connecticut Licensed Asbestos inspector is recommended and regulated procedures should be followed for removal of ACM. In addition, a lead characterization is recommended in order to determine if construction waste generated would require disposal as hazardous waste due to lead content.

Based upon the above information, the overall potential for encountering contaminated materials (building materials, soil, surface water, groundwater) at the portion of the Timken Site that contains the existing office building is high. As stated above, the portion of the site that is currently a parking lot also has a high potential for contamination from adjacent off-site sources.

## **2.2.5 Site No. 5 –The O & G Site**

### **2.2.5.1 General Description**

This site is owned by O & G Industries, Inc. of Torrington, CT. The parcel is approximately 6.5 acres in size and is currently heavily wooded (Photos 2-10, 2-11). Located on the easterly side of Kennedy Drive, the parcel is bounded on the west by Kennedy Drive and on the east by Alvord Park Road (Figure 2-6). Street access to the site may be provided by either Alvord Park Road or Kennedy Drive. Kennedy Drive is a two-lane public highway, approximately 40 feet wide along the parcel. This site is not conducive to pedestrian access from more developed areas but it is on the Candystriper bus route and is easily linked to transit (Kelley Transit, 2005).

A review of the topographic plan submitted with the proposal indicates that slopes over the entire site exceed the 5% limit. Slopes on some portions of the site exceed 20%.

### **2.2.5.2 Zoning, Land Uses, Tax Assessment, and Consistency with the State Plan of Conservation and Development**

The site is zoned Industrial Park and is currently undeveloped. Adjacent land uses include an office building to the south (One Commerce Center), Boy Scouts of America facilities to the north, and a skateboard and recreational park to the east. Other adjacent land uses along Kennedy Drive in the vicinity include medical and governmental offices.

The Assessor's database indicates that the property is appraised at \$102,000 and assessed at \$71,500.

According to the *Locational Guide Map* (OPM, 2005), the site is located within a Growth Area. Growth Areas are listed as Development Priority 3, where Priority 1 is the highest and 4 is the lowest. These areas are designated for "high priority and affirmative support toward concentration of new growth...into specified areas capable of supporting large-scale, mixed uses and densities in close relationship to the Regional Centers". This





**Photo 2-10. O & G Site Looking West – Existing Conditions.**



**Photo 2-11. O & G Site Facing North – Intersection of Kennedy Drive and Alvord Park Road.**



**Figure 2-6.**

priority level indicates a lower level priority for development, as compared to locations in Regional Centers. However, this location is still generally consistent with the State Plan of Conservation and Development, according to scoping period comments from OPM. The site does border on Existing Preserved Open Space Areas, which are not development priorities, as well as a Neighborhood Conservation Area, which is Development Priority 2.

#### *2.2.5.3 Utilities*

According to the proposal, the parcel has direct access to electric and telephone service. A 12" water main, 8" sewer main, and a 6" natural gas line may also be accessed from Kennedy Drive.

#### *2.2.5.4 Natural Resource Features*

The site is completely forested and abuts a large area of undeveloped, forested land. The cover type consists of mature trees, many of which are well over 12" diameter breast height (dbh). There are also a substantial number of snags in this size class. Dominant tree species include red and sugar maples, with a substantial component of beech, hemlock, white pine, and grey birch. Mountain laurel is common through out the understory, and the forest floor has a good structure of rocky outcrops and deadfall. This site provides high quality habitat resources for a wide variety of wildlife species, including those that prefer to avoid human-created disturbance. The dense vegetation on the parcel provides a buffer from the limited adjacent land uses, and the parcel's connection to a large, undeveloped area further enhances its habitat value. There are no wetlands located on this parcel, and it is not located within a delineated floodplain.

Groundwater at the site has been classified as GA by the State, which denotes an area with existing private water supply wells or the potential for use as an area of public or private water supply wells.

#### *2.2.5.5 Cultural Resource Features*

No National Register listed historic properties are located on or in the vicinity of the site, according to the National Register online database (National Park Service, 2005).

#### *2.2.5.6 Site Contamination Status*

Research of hazardous waste sites with the potential to impact the O & G site was conducted using *Environmental FirstSearch<sup>TM</sup>* software, which provides access to a central database of environmental data compiled from numerous federal, state and local databases. Sites identified in the database search that were deemed to have the potential for impacting the site were investigated further at the DEP file room.

Eight minor incidents occurred within 500 ft of the site; none occurred on the O & G site or are expected to have impacted the site. In addition, based on the existing undeveloped nature of the property and on the surrounding land uses, it is unlikely that site contamination issues exist. The overall potential for encountering contaminated materials (building materials, soil, surface water, groundwater) at the O & G site is low.

## **2.2.6 Site No. 6 – The Nidec Site**

### **2.2.6.1 General Description**

The site is currently owned by Nidec-America Corporation of Torrington, CT. The property for sale is located at 70 Franklin Drive and consists of two separate parcels of approximately 5.16 acres and 0.58 acres, according to the site survey in the sale proposal (Figure 2-7). The first parcel is located on the west side of Franklin Drive, bounded by Franklin Drive to the east, the East Branch of the Naugatuck River to the south, the West Branch of the Naugatuck River to the west and private property to the north. The second (eastern) parcel is bounded by Franklin Drive to the west and south, the East Branch of the Naugatuck to the east and a private parcel to the north. Street access to the site is provided by Franklin Drive. Pedestrian access is provided by sidewalks to the site. The site is located within easy walking distance of the Candystriper bus route system and general downtown area and could most likely be a requested detour stop if needed.

Basic topography was reviewed using available City mapping, indicating that that the site appears to meet the slope requirements. The boundaries of the two parcels are steeply sloped downward toward the Naugatuck River, which surrounds the site.

### **2.2.6.2 Zoning, Land Uses, Tax Assessment, and Consistency with the State Plan of Conservation and Development**

The property for sale is zoned Industrial. A large structure on the larger western parcel (Photo 2-12) is currently occupied by three industrial tenants (Inertia Dynamics, Buxco Inc., and Fuel Cell Corp.). The eastern parking lot parcel is located across Franklin Drive to the east (Photo 2-13). Residential condominiums are located to the south, industrial facilities to the north, a shopping plaza to the northwest, Fuessenich Park (a City park with ballfields) to the southwest, an electric power substation to the northeast, and a jet engine generator adjacent to the parking lot parcel.

According to the Assessor's data, the developed parcel is appraised at \$1,219,800 and assessed at \$853,900. The parking lot parcel is appraised at \$62,900 and assessed at \$44,100. The property has no known liens or legal encumbrances, according to the proposal submitted.

According to the *Locational Guide Map* (OPM, 2005), the site is located within a Regional Center, which is Development Priority 1 (the highest priority). This particular classification is listed as the "highest priority for affirmatively supporting the rehabilitation and further development toward revitalization of the economic, social, and physical environment of Regional Centers". Based on OPM comments in the scoping phase, the location of this site within a Regional Center is consistent with the Plan and is classified as the highest priority level. This site also borders on Existing Preserved Open Space and Conservation Areas which run along the West Branch of the Naugatuck River in the vicinity of the site, which may require sensitivity in design and linkage to surrounding areas.

**Figure 2-7.**



**Photo 2-12. Nidec Site Looking West– Existing Facilities.**



**Photo 2-13. Nidec Site Facing Northwest – Existing Parking and Facilities.**

#### 2.2.6.3 Utilities

The property is serviced by electric, gas, telephone, water, and municipal sewer connections. According to the plans provided in the proposal, a 6" water line and a 24" sewer line run along Franklin Drive. A sewer interceptor also runs under the Naugatuck River.

#### 2.2.6.4 Natural Resource Features

This site currently supports no natural cover types. It is completely developed with buildings, pavement, and graveled parking areas. A small area on the north end that is currently being overtaken by weeds and shrubby growth offers no significant habitat resources for wildlife.

There are no wetlands on the parcel, however it borders on 100-year floodplain and is within the 500-yr floodplain. The waterways that surround this parcel on three sides are highly channelized and the site borders on a Federal Emergency Management Agency (FEMA) designated floodway. The riparian habitat of this reach of the river is dominated by invasive species (e.g. Japanese Knotweed) embedded in riprap side slopes, and therefore currently has limited wildlife value.

This reach of the Naugatuck River has been rated as a Class B surface water by the State. Thus, it provides for recreational use, fish and wildlife habitat, and agricultural/industrial water supply. The site borders on State Stream Channel Encroachment Lines (SCEL).

Groundwater at the site has been classified by the State as GB, which denotes a historically urbanized area or area of intense industrial activity. This area is served by public water service and may have groundwater quality issues based on the development of the surrounding area.

#### 2.2.6.5 Cultural Resource Features

According to the National Register online database, no National Register listed historic properties are located on the site or in the immediate vicinity (National Park Service, 2005). The site is located within a few blocks of the National Register listed Downtown Torrington Historic District.

#### 2.2.6.6 Site Contamination Status

Research of hazardous waste sites with the potential to impact the Nidec site was conducted using *Environmental FirstSearch™* software, which provides access to a central database of environmental data compiled from numerous federal, state and local databases. Sites identified in the database search that were deemed to have the potential for impacting the site were investigated further at the DEP file room.

A Phase I Environmental Site Assessment and Ground Water Sampling Report was prepared for the Nidec Corporation by TRC Environmental Corporation (TRC) in May of 1995. These investigations were conducted on the Nidec site on Franklin Drive. The

report indicates that the walk-over inspection and background investigation identified three onsite areas of concern, as follows:

- Historic site plans provided by Ms. Delfino, the site contact, indicate the presence of a 7,000-gallon waste oil tank on the larger western parcel. The tank is shown on a 1968 site plan to be situated between the main entrance of the onsite industrial building and Franklin Drive. Based on its size and depicted location of the 1968 plan, it is assumed that the waste oil tank was an underground storage tank (USTs). It was not known whether this waste oil tank was removed from the property.
- ACMs were identified by TRC in the main onsite industrial building.
- Subsurface soil and ground water contamination was identified on the subject property during a subsurface investigation conducted on the site by EEW Management, Inc. in 1990.

One off-site item of concern was identified as a result of the Phase I investigation as follows:

- Numerous petroleum spills and leaking 25,000-gallon underground jet fuel (kerosene) storage tanks have been reported for the jet engine adjacent to the eastern parking lot site parcel.

As a result of the ground water sampling program conducted by TRC on the subject property, the following items of concern were identified:

- Tetrachloroethene (PCE) at concentrations exceeding the current DEP Proposed Ground Water Protection Criteria was detected in wells MW-7, MW-8, MW-8A, MW-9, MW-9A, and MW-10 on the subject property.
- Total petroleum hydrocarbons (TPH) at a concentration exceeding the current DEP Proposed Ground Water Protection Criteria was detected in well MW-6 on the subject property. This well is located adjacent to the aforementioned jet engine.

TRC concluded, based on the findings of this investigation, that the subject property is an “establishment” according to the waste generation criteria as defined in Section 22a-134 of the CGS, and thus this property would be subject to the filing requirements of this section in the event of a property transfer. TRC made the following recommendations for the subject site:

- Remove or properly abandon in place the onsite 12,000-gallon UST following applicable municipal and state regulations.
- Conduct further investigation to determine whether the former waste oil tank has been removed, or is currently existing on the subject property, and removal of the tank

along with any associated contaminated soil should these be discovered on the property.

- Conduct a full asbestos inspection in order to identify and quantify all of the ACM which is present on the site.
- Continue groundwater sampling of monitoring wells on the site.

In two letters submitted to Nidec America Corporation by Loureiro Engineering Associates, Inc. (LEA) dated May 31, 2001, a scope of professional services to perform subsurface investigations and predicted remediation activities are outlined. Proposed subsurface investigations include:

- Geophysical investigations to estimate the presence of USTs,
- Soil sampling and screening for the presence of contaminants in up to eight (8) areas, and
- Groundwater monitoring well installation at six (6) locations and sampling.

Potential remediation activities recommended by LEA as a result of these subsurface investigations include excavation and removal of soil contamination in limited areas, and possibly soil vapor extraction (SVE).

Based on the investigations conducted to date, the overall potential for encountering contaminated materials (building materials, soil, surface water, groundwater) at the Nidec site is high.

### ***2.2.7 Site No. 7 – The Ricci Site***

#### ***2.2.7.1 General Description***

Site No. 7 (the Ricci site) is located at the intersection of Pinewoods Road with Route 8 (Exit 46). This site is owned by Joseph and Marilyn Ricci of Torrington, CT. The proposal submitted indicated the intent to sell 3.75 acres of land to the State from one large parcel of land under their ownership. They offered a choice of two sites for sale within the larger parcel (Figure 2-8).

Both potential sites are open meadow with small residential structures which would require demolition prior to courthouse construction. Site “A” is an “L” shaped parcel surrounding the existing Cornucopia banquet facility. This site could be accessed from either Pinewoods Road or from Torrington Street (Route 183). Two residential structures would require demolition on this site. According to the survey plan provided, Site “B” is comprised a trapezoidal site on the western portion of the existing parcel and would be accessed from Pinewoods Road. This site would require the demolition of either one or two existing residences. Both sites A and B would be abutted to the north by an industrial park. Both sides could be provided with easy access from Route 8, via the interchange located immediately to the east of the Ricci site. No sidewalks exist in the area for pedestrian access, but the CandyStriper bus route has a scheduled route to the



**Figure 2-8.**

Torrington Industrial Park to provide mass transit access to the site (Kelley Transit, 2005).

Topography was reviewed using topographic survey plans submitted with the land sale proposal. According to the property survey dated November 2004, both sites are relatively flat. Site “A” would easily meet the slope requirements. Site “B” has slightly greater slopes, with maximum slopes approaching 8% at the rear (north) portion of the parcel.

#### *2.2.7.2 Zoning, Land Uses, Tax Assessment, and Consistency with the State Plan of Conservation and Development*

The property is zoned Local Business and Industrial Park, according to the proposal submitted. Assessor’s information lists the parcels as Local Business. Currently, the sites are used as residential rental property and are primarily open meadow (Photos 2-14 through 2-16). Three houses are located on the overall parcel and depending on which site (A or B) was chosen, at least one would require demolition prior to courthouse construction. Adjacent land uses include the Cornucopia Banquet Hall to the south and east of the offered properties, an industrial park to the north, Pinewoods Road to the south, and Torrington Street to the east. Several residential properties are in the vicinity, across Torrington Street. An industrial park is situated across Pinewoods Road from the parcels offered.

The property offered for sale is composed of portions of four separate parcels, according to the Assessor’s database. Based on a comparison of the mapped parcels to the offered properties, it appears that the proposed Site A is comprised of portions of parcels 2, 3, 5, and 6. Site B consists of the entirety of parcel 6 and a portion of parcel 5. Site survey would be necessary to accurately determine the property boundaries in relation to the offered sites. The total appraised value for all four parcels is \$997,900 and the total assessed value is \$699,200. As noted above, only portions of the parcels comprise the offered property.

According to the *Locational Guide Map* (OPM, 2005), the site is located within and surrounding a Growth Area, with Preservation and Conservation Areas located to the east and in limited areas to the north. Growth Areas are listed as Development Priority 3, where Priority 1 is the highest and 4 is the lowest. These areas are designated for “high priority and affirmative support toward concentration of new growth...into specified areas capable of supporting large-scale, mixed uses and densities in close relationship to the Regional Centers”. This priority level indicates a lower level priority for development, as compared to locations in Regional Centers. However, according to scoping period comments from OPM, this location is still generally consistent with the State Plan of Conservation and Development.



**Photo 2-14. Ricci Site Looking North – Existing Residential Rental Properties.**



**Photo 2-15. Ricci Site Looking Northwest – Existing Conditions.**



**Photo 2-16. Ricci Site Facing West – Existing Residential Property.**

#### *2.2.7.3 Utilities*

Electricity, water, and sewer are available from Pinewoods Road or the Route 8 boundary line, according to the proposal submitted. A submitted plan shows Putter Lane and the utilities easement at the Route 8 side of the property. This plan shows a 12" water line and an 8" sewer line running adjacent to the parcel. The existing banquet facility on the parcel is serviced by a septic system and is not connected to the municipal sewer system. A gas line runs along Industrial Lane, approximately 230 ft southerly of Pinewoods Road, according to the plans submitted.

#### *2.2.7.4 Natural Resource Features*

This parcel contains old fields and abandoned lawn areas in various stages of succession. The edges of the parcel are lined with large, mature ash trees and smaller cottonwoods. Stands of sumac, alder dogwood and immature aspen are taking over the open areas, but a large grassy old field area remains in the center of the property. A wet swale lies along the northern border of the property, and some areas that qualify as wetlands may be included on the property. There is also an area to the east of the brick house where liquids from a failing septic system were noted to be flowing across the surface, and supporting some wetland vegetation.

This site provides average habitat resources for wildlife species that are adapted to living in close proximity to humans. Habitat quality is a function of the unremarkable cover-

types and the adjacent land-uses, which contribute moderate amounts of human disturbance to the site.

Groundwater at the site has been classified as GA by the State, which denotes an area with existing private water supply wells or the potential for use as an area of public or private water supply wells.

#### *2.2.7.5 Cultural Resource Features*

No National Register listed historic properties are located on the site or in the vicinity, according to a review of the National Register database (National Park Service, 2005).

#### *2.2.7.6 Site Contamination Status*

Research of hazardous waste sites with the potential to impact the Ricci site was conducted using *Environmental FirstSearch*<sup>TM</sup> software, which provides access to a central database of environmental data compiled from numerous federal, state and local databases. Sites identified in the database search that were deemed to have the potential for impacting the site were investigated further at the DEP file room.

There were 11 incidents which occurred within the watershed to the Ricci site, however none occurred directly on the site. Most incidents consisted of minor spills which are not likely to have impacted the Ricci site. The incident which has the highest potential to have impact was a spill of fuel oil in 1998 from a leaking underground storage tank (LUST) at J&B Industries at 14 Putter Lane, just north of the site. However, DEP reports indicate that contaminated soil associated with this LUST was removed, and contamination did not impact groundwater, lessening the likelihood that contamination reached the Ricci site.

A site walkover in March 2005 revealed a failing septic system and two small areas of debris. The failing septic system is likely associated with one of the homes onsite. The debris consisted of empty 55-gallon drums, all unlabeled except for one that contained a "Chlorofluorocarbon" marking. Based on this field investigation, the potential for encountering for contamination on this site is rated as medium.

### **2.2.8 Site No. 8 – The PRAX Site**

#### *2.2.8.1 General Description*

The subject property is composed of eight individual parcels owned by one of the following: the City of Torrington, RKX LLC, PRAX LLC, and Carolle Jenkins, and Dennis Gouey. The total property (8 parcels) is 5.5 acres in extent and is located on Main Street in downtown Torrington, with frontage on Route 800 and on Grove Street on the opposite side of the Naugatuck River (Figure 2-9). The site has pedestrian access via sidewalks and the Main Street portion is located on the Candystriper bus route for transit access (Kelley Transit, 2005).

**Figure 2-9.**



Based on a review of the City's topographic mapping at two-ft contour intervals, at least 25% of the site has slopes in excess of the 5% criteria. In particular, the eastern portion of the Grove Street parcels has steep slopes. The western portion of the Main Street properties also exceeds the 5% slope requirement.

#### *2.2.8.2 Zoning, Land Uses, Tax Assessment, and Consistency with the State Plan of Conservation and Development*

Six of the subject parcels are zoned General Business (GB). These six parcels along Main Street are used for residential and commercial purposes, including storefronts, a motorcycle club, a self-storage facility, and vehicle repairs and storage (Photos 2-17 through 2-19). Two parcels are located in an R6 zone along Grove Street and are currently vacant City parkland (Photos 2-20, 2-21). The latter zone allows for parking as a permitted use as per the City of Torrington Zoning Regulations. However, according to the deed submitted in the proposal, the Grove Street parcels are subject to a deed restriction, requiring the property to be used for playground, recreational, or park purposes.

Adjacent land uses include residences and a church and former Catholic school on the Grove Street side of the river, and residences and retail and commercial businesses on the Main Street side of the river.

Eight parcels comprise the offered property. The total appraised value for the property is \$1,016,100 and the total assessed value for the property is \$711,400.



**Photo 2-17. PRAX Site looking southeast – Main Street properties.**



**Photo 2-18. PRAX Site Looking Northeast – Main Street Properties.**



**Photo 2-19. PRAX Site Looking East Toward River – Self Storage Units along Main Street.**





**Photo 2-20. PRAX Site Looking Southwest to River – Existing Parkland along Grove Street.**



**Photo 2-21. PRAX Site, Looking West across River – Existing Facilities and Slopes.**

According to the *Locational Guide Map* (OPM, 2005), the site is located within a Neighborhood Conservation Area, with an area of Existing Preserved Open Space which appears to be located along the river in the vicinity of the current City owned property. The site borders on a Regional Center to the west. Neighborhood Conservation Areas are listed as Development Priority 2, where Priority 1 is the highest and 4 is the lowest. This development priority includes State support for maintenance of existing stable neighborhoods, as well as for “intensification of development when supportive of community stability and consistent with the capacity of available urban services”, the latter of which would apply to courthouse development. According to OPM scoping comments, the site location appears to be consistent with the State Plan of Conservation and Development in that it is within or directly adjacent to a Regional Center.

#### *2.2.8.3 Utilities*

The property is served by public utilities, including a 10” water main and an 8” sewer lateral, electric, telephone, and gas.

#### *2.2.8.4 Natural Resource Features*

The eastern and western portions of this parcel are bisected by the East Branch of the Naugatuck River. The eastern portion of the parcel is almost entirely covered by a mature, bottomland forest. The trees are 10” to 12” dbh, red maple and black cherry dominate. There is a smaller component of ash and beech, and the understory is sparse. Due to the quality of the cover type, the parcel’s size, and its location, buffered from some disturbance by backyards, the eastern portion of the site provides above average habitat resources for urban wildlife. The western portion of the parcel is heavily impacted by current land use practices, and appears to be highly disturbed. It provides only moderate to low quality habitat for urban wildlife.

The soil on the eastern portion of the parcel is mapped as "Fluvaquents-Udifulvents" complex, which are soil types that are regulated by the Connecticut Inland Wetlands and Watercourses Act. Field investigations by a Certified Soil Scientist in March 2005 revealed that the soils do not meet the definition of a fluvaquent, however, the soil's designation as a udifluent cannot be confirmed without more detailed investigation (i.e. test pits).

Groundwater at the site has been classified by the State as GB, which denotes a historically urbanized area or area of intense industrial activity. This area is served by public water service and may have groundwater quality issues based on the development of the surrounding area.

The site is within 100-yr and 500-yr floodplain limits, borders on floodway, and appears to border on State Stream Channel Encroachment Lines.

#### *2.2.8.5 Cultural Resource Features*

No National Register listed historic properties are located on the site or in the immediate vicinity, according to the National Register online database (National Park Service, 2005). The site is located within a few blocks of the Downtown Torrington Historic

District, which is National Register listed. One other point of note is that the Torrington Historical Society indicated that a historic mill race was located on the Grove Street parcels. This race was hand dug and used to provide water to a historic mill in the area. Finally, it should be noted that due to its location within a floodplain and along the river, this site may possess archaeological sensitivity. Further study would need to be completed should this site be selected.

#### *2.2.8.6 Site Contamination Status*

Research of hazardous waste sites with the potential to impact the PRAX site was conducted using *Environmental FirstSearch™* software, which provides access to a central database of environmental data compiled from numerous federal, state and local databases. Sites identified in the database search that were deemed to have the potential for impacting the site were investigated further at the DEP file room.

There were five recorded incidents that occurred directly on or in close proximity to the PRAX site. Two of the five incidents are related to the Andrighetti & Sons Construction Company.

Results of an environmental site assessment transaction screening performed by CCA and detailed in a December 7, 2001 letter include the following observations of the PRAX site:

- The subject site buildings include two multiple unit residential dwelling structures and a detached garage. Each of the two residential structures contains four apartment units. One residential structure includes (in addition to the apartment units) office space for Andrighetti and Sons, Inc. (a pavement contractor with additional business interests such as real estate rentals). The other residential structure includes (in addition to the apartment units) a basement walk-in garage/storage space used by Andrighetti. The detached garage is also occupied by Andrighetti and is used for vehicle maintenance and repairs, and storage. It is noted that one of the residential units was not inspected since the resident refused access.
- The majority of the site exterior appears to be paved with asphalt.
- The subject site is serviced by public water and municipal sanitary sewers. The residential units are heated with either natural gas or electric heaters. The garages are heated with oil-fired burners (above ground fuel oil storage tanks located at building exteriors).
- No potential friable ACMs were observed during the site inspection. It should be noted, however, that numerous stored items obstructed the view of the building interiors. There is also the high probability that the site buildings contain non-friable ACMs (e.g. shingles, floor tiles, mastic, etc.) due to their apparent age.

- The paint on the building interior woodwork was found to be cracked, chipped, and/or peeling in several places. It is noted that the site buildings may contain lead-based paint due to their apparent age (greater than 50 years);
- The rear (east) site exterior is used as a storage area for vehicles, equipment, and numerous other miscellaneous items. The other items included 55-gallon drums (contents not clearly indicated), apparently unused (empty) above-ground fuel oil storage tanks, auto parts, an old gasoline pump (apparently not attached to anything), etc. Similar storage was observed inside the two garages, which in addition contained automotive maintenance fluids in various small containers. Mr. Andrighetti indicated to CCA that the drums are used for the temporary storage of waste oils (periodically removed from the site for disposal), and that the gasoline pump was never used on the subject site (it was acquired from another location).
- The rear (east) site exterior pavement appeared to be saturated/stained with oil in several areas.
- The asphalt floor of the detached garage appeared to be saturated/stained with oil.

The CCA letter concludes, “there is a significant risk of negative environmental impact to the subject site soils and groundwater attributable to conditions or incidents which might have occurred on the subject site”, and “there is a significant risk that lead based paint and ACMs are present in/on the subject site buildings”.

Based on the preceding information, the overall potential for encountering contaminated materials (soil, surface water, groundwater) at the PRAX site is high.

## **2.2.9 Site No. 9 – The Kelley Site**

### **2.2.9.1 General Description**

The property consists of 4.141 acres which consists of two parcels owned by the Kelley Realty Company and the City of Torrington respectively. The larger parcel (Parcel A) is 3.055 acres bordered by Water Street, John Street, Church and Mason Streets and an inactive rail line (Figure 2-10). The smaller parcel (Parcel B) is 1.085 acres bounded by Mason Street, John Street, and several parcels under varied ownership. The smaller parcel (Parcel B) is separated from the larger parcel (Parcel A) by John Street and is within the required 500 foot range. The City of Torrington granted a right-of-way on Parcel B to the adjacent Young Men’s Christian Association (YMCA) center.

Frontage would be supplied by Water Street and/or Mason Street. According to the proposal, the City would consider closing the north end of John Street to combine the two parcels and add acreage to the site. The rail line on the west site of the larger parcel (Parcel A) could also be used for additional acreage if the State decides to formally abandon this section of the line as proposed in the Downtown Redevelopment Plan. Pedestrian access is provided by paved sidewalks surrounding the site. The site is also on the Candystriper bus route (Kelley Transit, 2005).

**Figure 2-10.**

#### 2.2.9.2 *Zoning, Land Uses, Tax Assessment, and Consistency with the State Plan of Conservation and Development*

The Kelley site is zoned GB and the City of Torrington site is zoned R-6. Although a high density residential designation, the R6 zone can also be used for parking (as it currently is). Several major structures exist on Parcel A. A former brick railroad station structure is located on the western boundary of the site, an operating party warehouse retail store of brick and masonry construction is located on the corner of Water and John Streets, and a bus depot facility of varying age and construction occupies the majority of the central and northern portions of the parcel. Parcel B is currently utilized as a metered parking lot. According to the proposal, the entire property is within the downtown redevelopment zone.

Adjacent land uses include the YMCA and residences to the east, a rail line and commercial businesses to the west, retail storefronts and restaurants to the south, and industrial uses, Carl Bozenski's Christmas Village, and the Vogel-Wetmore School to the north. This site is located just to the west of the main downtown thoroughfare.

The Assessor's database records indicate that the Kelley Transit parcel is appraised at \$878,300 and assessed at \$614,800. The City parking lot parcel is appraised at \$51,300 and assessed at \$36,000.

According to the *Locational Guide Map* (OPM, 2005), the site is located within a Regional Center, which is a Development Priority 1 (the highest priority). This particular classification is listed as the "highest priority for affirmatively supporting the rehabilitation and further development toward revitalization of the economic, social, and physical environment of Regional Centers". Comments from OPM in the scoping phase indicate that a courthouse at this location would be consistent with the State Plan of Conservation and Development. Finally, according to the *Locational Guide Map*, the site borders on a small area of Existing Preserved Open Space to the north.

#### 2.2.9.3 *Utilities*

Gas, electricity, telephone, water (8 to 12" lines), and sewer (8" line) are available from Water, John, Mason, and Church Street.

#### 2.2.9.4 *Natural Resource Features*

This site is heavily impacted by current land uses and is highly disturbed. It provides little to no habitat, even for urban wildlife species. There are no wetland resources on this parcel, nor is it within a floodplain area.

Groundwater at the site has been classified by the State as GB, which denotes a historically urbanized area or area of intense industrial activity. This area is served by public water service and may have groundwater quality issues based on the development of the surrounding area.

#### *2.2.9.5 Cultural Resource Features*

This site is located within the Water Street Historic District, which is National Register listed, according to the National Register online database (National Park Service, 2005). Based on documentation provided by the Torrington Historical Society, there are four listed properties on the immediate site (Photos 2-22 to 2-27).

The first, listed as the E.J. Kelley Co. Garage on the Historic Resources Inventory Form (Appendix A), was constructed in 1912 and is a brick structure, with structural iron or steel. This two-story building is approximately 70 ft x 90 ft in extent, and is listed as the “centerpiece” of the buildings onsite. At the time of the inventory listing (1983), the condition of the structure was rated as “Good” and the exterior was rated as “Fair”. The significance of the building is connected primarily to the importance of E.J. Kelley in the City, and also to the building’s construction during a period of transition from horse-drawn freight wagons to trucks. This building is still in use today, as shown in Photos 2-22 and 2-23.

The second listed structure on the site is the warehouse which directly abuts the previously discussed garage building. According to the Historic Resources Inventory Form (1983), this warehouse was built in 1895 with post and beam construction and corrugated metal and wood on the frame. The two-story structure is approximately 54 ft x 90 ft in extent, with structural condition listed as “Good” and exterior listed as “Fair” at the time of the inventory. The building has been used in the past and continues to be used for vehicle storage (Photo 2-24). Prior to its purchase by the E.J. Kelley Company, it was used as a public warehouse for flour and furniture.

The third listed structure on the site is unrelated to the Kelley business. This structure is a former train depot, built in 1898, and built using brick, granite, and load bearing masonry construction (Photo 2-25). The building is one-story and approximately 33 ft x 110 ft in extent. The structural condition was rated as “Fair” and the exterior was rated as “Fair” and “Deteriorated” in 1983 on the Inventory Form, with threats to the structure listed as “Vandalism” and “Deterioration”. The depot was the former station of the New York, New Haven, and Hartford Railroad and replaced an earlier depot which was an ornate Gothic structure indicated to have been rendered obsolete by post-war growth after the Civil War. The existing depot was modeled after one in Stamford in the wake of the war. Visual observations on the site indicated that portions of this structure, including the roof, are highly deteriorated and have been subject to vandalism and neglect over the years.

The final listed structure is another Kelley Garage built in 1929, according to the Historic Resources Inventory Form (1983). The building is brick with load bearing masonry construction (Photo 2-26). This one-story structure is approximately 103 ft x 81 ft, with seven garage bays, and abuts the warehouse structure previously discussed. The condition of this structure was rated as “Good” in 1983. The significance of the structure has been identified as its evidence of the expansion of the E.J. Kelley trucking business in the City.





**Photo 2-22. Kelley Site Looking Northwest – Existing Bus Depot Facilities.**



**Photo 2-23. Kelley Site Looking West – Existing Municipal Parking Lot and Kelley Facilities across John Street.**



**Photo 2-24. Kelley Site Looking East – Existing National Register Listed Structure Onsite.**



**Photo 2-25. Kelley Site Looking Northwest – Existing National Register Listed Train Depot.**





**Photo 2-26. Kelley Site Looking Southeast – Existing National Register Listed Garage Onsite.**



**Photo 2-27. Kelley Site Looking East – Existing Parking Lot and Adjacent Offsite YMCA.**

#### 2.2.9.6 Site Contamination Status

Research of hazardous waste sites with the potential to impact the Kelley site was conducted using *Environmental FirstSearch<sup>TM</sup>* software, which provides access to a central database of environmental data compiled from numerous federal, state and local databases. Sites identified in the database search that were deemed to have the potential for impacting the site were investigated further at the DEP file room.

In addition to performing the *FirstSearch<sup>TM</sup>* analysis described above, the 2000 Phase I Environmental Site Assessment for the Kelley site prepared by Handex was reviewed. The Phase I report states the following:

- As it appears on the 1990 and 1998 Underground Storage Facility Notification forms, there have been five (5) underground storage tanks (USTs) removed from the subject site since 1986. The date of the removal of the five (5) tanks is 1989, according to the documentation.
- According to the DEP LUST files, there were two (2) LUSTs removed from the E.J. Kelley Company located on Water Street in 1990, outside the northwest corner of Building #1.
- The western portion of the small bus repair garage, where several 55-gallon drums were located, had significant staining on the floor.
- According to Ms. Joan Kelley, there are currently three (3) USTs located on the property. She is unsure of the age and/or sizes of the tanks. One (1) UST is located under a cement platform inside Building 1 and she is unsure if the tank has been properly abandoned. One (1) UST is located on the outside southern portion of Building 1 and is currently in use, and one (1) UST is located on the northern outside portion of Building 2 and is also currently in use.
- There are a total of seven (7) aboveground storage tanks (ASTs) located in and around Building 1. Two (2) are abandoned and unused, two (2) contain fuel oil, two (2) contain waste oil, and one (1) contains diesel fuel and has no secondary containment.
- Ms. Kelley does have a permit for the oil/water separator that is located on the southeastern portion of Building 1, next to the large bus repair garage. However, according to Mr. Gonyea of the DEP, one (1) more form needs to be filled out and signed to complete the permit process.
- Drainage flow of the floor drains located in the small bus repair garage and in the seven bay garage is unknown.

- Waste oil is stored in two (2) 550-gallon ASTs located in the large bus repair garage in Building 1. According to Ms. Kelley, Mr. Maurice Mearu picks up the waste oil and disposes of it in his furnace.
- Due to the age of the building, asbestos could be present in the piping and in the tiled flooring. Lead paint could be in the paint on the walls and polychlorinated biphenyls (PCBs) could also be located in the ballasts of the fluorescent lighting.
- Two parts washers are located in Building 1. Hubbard Hall services both of the parts washers approximately every two months, according to Ms. Kelley.

The Phase I study of off-site issues determined that historic and present off-site property usage included primarily residential and commercial activities. The assessment revealed no evidence of recognized environmental conditions offsite, in connection with the property, with the exception of the following:

- Several properties located within 0.25 miles have registered USTs that have exceeded their life expectancies.
- The presence of reported oil spills on parcels within 0.25 miles of the site.

Handex made the following recommendations for further action at the Kelley site, based on the findings of the Phase I Environmental Site Assessment:

- Due to their apparent age, the remaining onsite USTs should be removed. Proper closure and soil sampling should be conducted following removal or abandonment of the USTs.
- The two (2) abandoned 275-gallon ASTs located on the east and west side of the limousine garage should be properly disposed of.
- The 3,000-gallon diesel fuel AST located outside of Building 1 should be secondarily contained.
- The drainage point for the floor drains in the small bus repair garage and in the seven (7) bay storage garage need to be determined.
- Due to the age of the building, ACMs and lead-based paint may be present throughout the building. If building renovation or demolition activities are to result in the disturbance of any suspect ACM (e.g., pipe insulation, flooring materials, wall plaster, and ceiling tiles) a thorough building inspection by a Connecticut Licensed Asbestos inspector is recommended. Removal of any confirmed ACM is required prior to its disturbance. Additionally, prior to any building or demolition activities, a lead characterization is recommended in order to determine if construction waste generated would require disposal as a hazardous waste due to lead content.

- Due to the significant staining in the small bus repair area, Handex recommends conducting soil borings in that area to determine if staining has penetrated the cement surface and impacted the ground surface.
- Soil borings are also recommended in the areas where there was significant staining and in the areas where USTs once existed.
- The oil/water separator permit needs to be completed. According to Mr. Gonyea of the DEP, certification form VS2 needs to be completed by the applicant and a professional engineer. It then needs to be returned to the DEP Central Permit Processing Unit.
- Based on the information provided, the site does not appear to be classified as an *establishment*, as defined by the DEP Transfer Act. However, if increased generation of hazardous waste were reported, the site may be classified as an *establishment* by the DEP. Legal consultation is recommended to definitively determine the applicability of the Transfer Act to the site and necessary filings if ownership is to be transferred.
- Although several neighboring properties have registered USTs, LUSTs or are on the state listing of hazardous waste sites, activities on these parcels do not appear to present a significant environmental risk to the subject site. On this basis, no further site investigations are recommended relative to off-site properties at this time.

Since Handex completed the Phase I report in March of 2000, there have been four spills near the Kelley site. A Freedom of Information Request was submitted to DEP to ascertain details on these spills. DEP responded with a letter stating that there are no records on file for these spills.

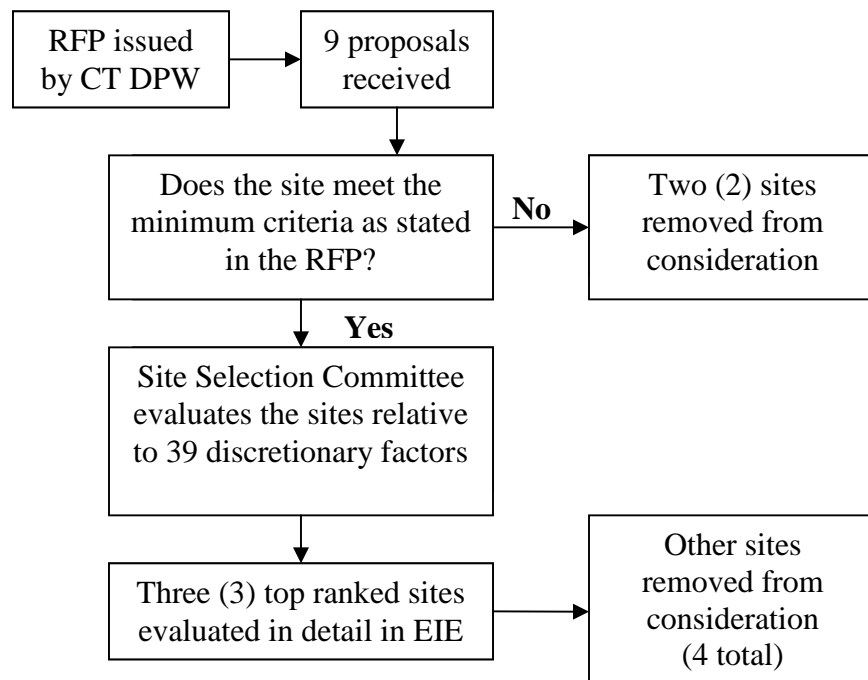
Based upon the information presented above, the overall potential for encountering contaminated materials (building materials, soil, surface water, groundwater) at the Kelley site is high. Further remedial investigation would be required to better assess the type and extent/quantity of contamination.

Additional information regarding hazardous materials and the current status of the site is included in Section 3 of this EIE. This information includes the results of a Phase II investigation conducted at the site in 2005.

### **2.3 SITE COMPARISON PROCESS**

Based upon the initial information received, preliminary site investigations, and record review, a two-phase screening process was initiated as shown on Figure 2-11. The screening process can be broken down into the following phases:

- 1) The public scoping process and
- 2) The alternative site screening analysis.



**Figure 2-11. Site Selection Process.**

As shown in this flowchart, the original nine proposals received in response to the DPW RFP were reviewed for RFP minimum criteria consistency. Two of the nine sites were removed from consideration because they failed to meet the size criteria. Seven sites were then carried into the public scoping and alternative site screening analysis process.

### **2.3.1 Public Scoping Process**

On March 23, 2005, a public EIE Scoping Meeting was held at the Torrington City Hall, following appropriate public notification (Appendix C). Approximately 75 individuals attended the meeting. The seven sites which met the basic RFP criteria were publicly presented and data collected regarding each site which was presented in Sections 1 and 2 of this EIE were reviewed. The overall site selection process and CEPA process were reviewed, as was the underlying purpose and need for the Proposed Action. Most public comments were positive to the process with a general endorsement of selecting a site within the greater downtown district, as opposed to outlying, less developed areas of Torrington.

### **2.3.2 Alternative Site Screening Analysis**

Each of the seven sites that met the minimum size criteria was evaluated with respect to the criteria listed in the RFP and additional criteria developed by DPW. The two sites which failed to meet the RFP criterion for minimum size (Chadwick, Norwood St.) were deemed nonresponsive, and were removed from further consideration prior to the Public



Scoping Meeting. The RFP criteria framed the critical factors in selecting a suitable courthouse site; however, other important factors needed to be considered in the siting decision for this particular Proposed Action. As required by CEPA, impacts to the environment must be considered when the State undertakes a project that could involve significant environmental impact. Similarly, under Section 404 of the CWA, projects that involve impacts to wetlands must undergo an alternatives analysis that there are no other prudent or feasible site alternatives that could avoid or minimize wetland impacts.

The following is a list and description of each siting criterion that was developed. The rationale for each criterion is expressed in the description. These criteria were developed by the JB and DPW, supplemented by comments from local and state officials and the public at the March 23, 2005 Public Scoping Meeting.

The criteria have been grouped by category and enumerated for ease in reading. The numbers associated with the criteria have no bearing on the relative importance (i.e. weighting) of the particular criterion.

### **2.3.3 RFP Criteria**

1. *Does the site have a net buildable area of at least 3.75 contiguous acres on one parcel or a minimum of 2.75 acres with a 1 acre parcel within 500 feet?* This is the basic criteria for a courthouse site. The acreage requirement was determined by DPW and JB from similar, recent courthouse development projects in Connecticut. While a contiguous 3.75 acre parcel is optimal, non-contiguous parcels will be considered as long as the second parcel is at least 1 acre and within 500 feet of the first parcel.
2. *(A) Does the site have frontage on a public street or highway having (B) adequate capacity to carry courthouse traffic?* Access to an existing public street or highway is necessary for the traffic to be generated by the site. Construction of new streets to access the new courthouse site would add additional time and cost to the project. DPW recognizes that street improvements may be needed in and around the selected courthouse site to improve capacity and flow.
3. *(A) Is the site located in an area zoned for non-residential uses, (B) with preference given to sites within close proximity to public transportation and (C) located outside of high density residential areas?* While the State is not mandated to conform to local zoning regulations, potential sites within non-residential (i.e. commercial, industrial, institutional) zoning are preferred. Proximity to public transportation such as bus or rail is preferred to allow access to the site by all and to potentially reduce the number of vehicular trips to and from the site. Sites outside of high density residential areas are preferred to avoid potential traffic, air, noise and aesthetic impacts.
4. *Is the site served by public utilities, including (A) water and (B) sewer systems with sufficient capacity (minimum 8-12" water main with 1,500 gallons per minute (gpm) and 6-8" lateral)?* Sites that are currently serviced by public water

and sewer are preferred due to the potential significant cost and impact of providing lengthy service connections. The minimum water and sewer capacity figures are based on the requirements of similar courthouses in Connecticut.

5. *Is the site reasonably free from physical encumbrances that could limit development?* Sites that are free of relatively large areas of wetlands, floodplain, bedrock, or other encumbrances are preferred.
6. *Is the site shaped and bounded in a configuration suitable for the construction of a structure containing a 30,000 SF footprint and surface parking for approximately 400 cars or a parking garage?* The site must be configured in such a manner as to allow for a 30,000 SF footprint and surface parking or a garage. A site may meet the minimum size criteria of 3.75 acres; however, length or width limitations could make development of a courthouse infeasible.
7. *Does the majority of the site have slopes less than 5%?* Sites that are level are preferred to sites with steep topography because steep sites are generally more difficult and costly to develop.

#### **2.3.4 Development Cost Criteria**

8. *Is the property owner a willing seller?* At this point in the selection process, all owners that submitted proposals are assumed to be willing sellers.
9. *Is the asking price reasonable?* Price proposals received from the seven candidate property owners will be evaluated in the site selection process. Sites with relatively low property acquisition costs are preferred; however, the price proposals stated in the RFP are non-binding and may be adjusted in the future after further due diligence is conducted by DPW.
10. *What is the potential for high development costs, based on demolition (if applicable), site clearing, site cleanup (if applicable), grading and utility services?* This criterion encompasses many of the other criteria in this analysis. Sites with lower development costs are preferred over sites with higher development costs due to any of the above factors.
11. *What is the probability of encountering environmental hazards/contamination based on existing and any known previous land uses and readily available information?* Sites that, because of their historic or current uses, are not likely to contain building, soil, or groundwater contamination are preferred over sites with known or potential contamination due to current or historic uses. Site cleanup would likely result in increased cost and time for the project.
12. *Based on the site information gathered or known, what is the probability the Proposed Action would create significant project delay due to regulatory approval processes?* Sites that are located in or in close proximity to wetlands, watercourses, floodplains, and/or contamination require permits and approvals at

the state and federal levels to develop. These approval processes can add appreciable time to the development process. Sites where the approval process is judged to be relatively simple are preferred over those sites that would require more permitting.

### 2.3.5 *Land Use Criteria*

13. *According to the Locational Guide Map of the Connecticut Conservation and Development Policies Plan (C&D Plan), 2005-2010, what is the site's designation?* The C&D Plan designates land according to 8 categories, with development and conservation priorities and other goals associated with each of these categories. The categories and their associated Development and Conservation Priorities are presented in Table 2-2 below:

**Table 2-2. State C&D Plan Land Use Categories and Development & Conservation Priorities.**

<b>Land Use Category</b>	<b>Development Priority</b>	<b>Conservation Priority</b>
Regional Centers	1	NA
Neighborhood Conservation Areas	2	NA
Growth Areas	3	NA
Rural Community Centers	4	NA
Existing Preserved Open Space	NA	1
Preservation Areas	NA	2
Conservation Areas	NA	3
Rural Lands	NA	4

14. *Based on the site's location, what is the probability that the Proposed Action would be inconsistent with the State Plan of Conservation and Development and Locational Guide Map (2005-2010)?* Sites with higher Development Priorities are preferred over sites with lower Development Priorities or sites that have conservation as their primary goals (Existing Preserved Open Space, Preservation Areas, Conservation Areas, Rural Lands).
15. *Based on the site's location, what is the probability of the Proposed Action being inconsistent with the adopted municipal and regional plans at this site?* The City of Torrington is in the process of completing its Downtown Redevelopment Plan (DRP) led by the CT Department of Economic and Community Development (DECD). Sites within the Downtown area that, if developed for a courthouse, are consistent with the DRP are preferred over sites that are not consistent. For sites outside the downtown area, the City's Plan of Development was reviewed. Again, sites that are consistent with existing and proposed land use categories according to this plan are preferred over sites that are not consistent with the Plan.
16. *Are adjacent land uses compatible with the Proposed Action?* Sites with adjacent land uses that are commercial or institutional in nature are preferred over sites

with adjacent residential areas, so that impacts to neighborhoods from traffic, air quality, noise, etc. are minimized. Sites located in industrial areas are less preferred than those in commercial or institutional settings, however light industrial and warehouse uses are not considered incompatible with a courthouse.

### **2.3.6 Infrastructure Criteria**

17. *Does the site have public water supply?* Sites that are currently connected to a public water supply system are preferred. Sites that would require significant extensions to connect to public water supply lines or sites that would rely on private wells would likely be more costly to develop.
18. *Does the site have immediate sewer access?* Sites that are currently connected to a public sewer line are preferred. Sites that would require significant extensions to connect to public sewer lines or sites that would require onsite septic systems or package treatment plants would likely require more land and could also be more costly to develop.
19. *Can the site be designed to meet DEP stormwater management standards?* DEP stormwater standards call for at least 80% removal of total suspended solids (TSS) from site runoff. This can be achieved through construction of onsite Best Management Practices (BMPs) such as detention/retention basins, infiltration trenches, deep sump catch basins, gross particle separators, etc. Sites with ample size and configuration and favorable soil conditions for infiltration are preferred.
20. *Does the site have immediate access to electrical service?* Sites with current access or proximal access to electrical service are preferred over sites that would require lengthy extensions of existing service due to potential cost and environmental impacts.
21. *Does the site have immediate access to gas service?* Sites with current access or proximal access to natural gas service are preferred over sites that would require lengthy extensions of existing service due to potential cost and environmental impacts. Gas is preferred as a heating source due primarily to cost and environmental considerations.
22. *Does the site have immediate access to telecommunications?* Sites with immediate phone, cable, and broad-band internet access are preferred as information technology needs are critical to the operation of a courthouse facility. At a minimum, telephone service is required. Significant extensions to existing services would result in increased cost and potential environmental impact.
23. *Does the site border a public road?* Access to an existing public street or highway is critical to service the traffic to be generated by the site. Construction of new streets to access the new courthouse site would add additional time and cost to the project. Access from private roads is not preferred because easements or purchase of the road would be required, resulting in additional cost. DPW

recognizes that street improvements may be needed in and around the selected courthouse site to improve capacity and flow.

24. *Is the site serviced by existing mass transportation?* Proximity to public transportation such as bus or rail is preferred to allow access to the site by all and to potentially reduce the number of vehicular trips to and from the site.
25. *Are there rights-of-way or easement rights that would be required to develop or access the site?* Sites with no such encumbrances are preferred. Purchase of rights-of-way or easements would result in increased cost to the State. For security, maintenance, and operation purposes, the State prefers ownership of the land where the courthouse would be situated, with access from public streets.
26. *Does the site have reasonable access to and from main routes?* Sites with easy access to the main routes in Torrington (Route 8, Route 202, Main Street, etc.) are preferred because they offer a better location for those individuals traveling to the courthouse from any of the Litchfield Judicial District's 24 municipalities.
27. *Do the main routes to the site exhibit any documented traffic problems?* Sites with main routes that have no/few traffic capacity or safety problems are preferred over sites that would be accessed via main routes with major traffic problems. Major roadway and signalization improvements to these main routes would add additional time, expense, and potential impact to the Proposed Action.

### **2.3.7 Natural Resource Criteria**

28. *What is the probability of impacting water resources (floodplains, floodways, stream channel encroachment lines)?* Sites within or proximal to these resource areas would require permits from DEP. Compensatory flood storage would likely be required for fill placed within these resource areas. This would increase the cost of the project and potentially reduce the amount of developable land on the site if off-site mitigation is not feasible. Thus, sites that can avoid such potential impacts are preferred.
29. *What is the probability of affecting wetlands?* Wetlands are protected by Sections 401 and 404 of the Federal CWA and the Connecticut Inland Water Resources Act. Direct impacts to wetlands of less than 5,000 SF are generally permissible, however impacts in excess of 5,000 SF would require closer scrutiny and higher performance standards from DEP and the U.S. Army Corps of Engineers (USACE).
30. *What is the probability of impacting water quality (erosion and sedimentation)?* Steep sites, sites with fine-grained soils (silts, clays), and sites proximal to watercourses have a higher potential to impact water quality of receiving streams. Sites that do not have these characteristics are preferred.

31. *What is the probability of impacting groundwater quality and resources (i.e. Aquifer Protection Areas, public/private wells)?* Sites located outside of Level A/B Aquifer Protection Areas and Wellhead Protection Areas are preferred.
32. *What is the probability of impacting endangered, threatened, or special concern species or habitats?* Plant and animals that are listed as endangered or threatened at the state or federal level are protected by the Connecticut and Federal Endangered Species Act (ESA), respectively. Species of Special Concern are not formally protected; however, state and federal scrutiny of projects that could impact such species is high. Therefore, sites located outside of known habitats for endangered, threatened, or special concern species are preferred.
33. *What is the probability of impacting fish and wildlife habitats and ecosystems (i.e. ecologically significant areas)?* Sites located outside of valuable wildlife habitat are preferred over sites within natural areas that support wildlife at a local or regional level.
34. *What is the probability of impacting active agricultural lands and farmland soils?* Sites located in areas of active agricultural land or sites with known farmland soils are not favored because development of such sites would conflict with the State Department of Agriculture's Farmland Preservation Goals.

#### **2.3.8 Cultural Resources**

35. *What is the probability of impacting a historic district?* Sites within local or federal historic districts have the potential to negatively impact the character of that district. Attention to architectural design that is compatible with structures and theme within the district would be paramount and could result in increased cost to the project.
36. *What is the probability of impacting archaeologically sensitive areas?* To date, the State Historic Preservation Office has not provided commentary on the candidate courthouse sites. However, archaeological resource potential can be inferred based on geographical factors (e.g. proximity to watercourses, presence of terraces, etc.). Sites that are currently or previously developed (i.e. disturbed) would most likely have little or no potential for archaeological resources and, therefore, are preferred.
37. *What is the probability of having negative effects on visual resources (aesthetic and scenic resources)?* Sites within pristine natural areas (e.g. designated scenic roads) are not preferred because a courthouse could negatively affect the aesthetics of the area. Sites within highly aesthetic historic areas, if developed, would have to contain complementary architectural features, to avoid negatively affecting aesthetics. This could result in increased cost to the project.

### **2.3.9 Socioeconomic Criteria**

38. *Will development of the site displace existing businesses or homes?* Sites located on vacant land or land without active businesses are preferred. Development of a site containing businesses would result in the displacement of these businesses. If they chose to relocate outside of Torrington, there would be a loss in employment opportunity within the City.
39. *Is the site within easy walking distance to local services (restaurants, shops, etc.)?* Employees and visitors to a courthouse site that is within easy walking distance of local services are more likely to utilize these services and, therefore, increase revenues for existing businesses. This also increases the potential for new business starts in the immediate courthouse area. For these reasons, sites proximal to local services are preferred.

Table 2-3 presents each of the seven candidate sites and how each site relates to the 39 criteria listed above. The assessment of each site was based on reviews of existing information from the following sources:

1. The proposals submitted by the property owners;
2. City engineering, planning, economic development, tax assessor and tax collectors' offices;
3. DEP Geographic Information System database;
4. DEP File Records of Hazardous Waste/Materials;
5. The Litchfield Historical Commission;
6. National Register of Historic Places;
7. Litchfield Hills Council of Elected Officials;
8. Onsite Reconnaissance Surveys by Baystate Environmental Consultants (BEC);
9. Site visits by the Site Selection Committee;
10. DECD traffic information generated from the Downtown Redevelopment Plan EIE (Working Draft); and,
11. Supplemental information provided by the property owners.

## **2.4 SHORTLISTED SITES**

The Site Selection Committee reviewed the seven proposals, the documentation presented in Sections 1 and 2 of this EIE, the RFP criteria, an evaluation matrix developed for the project to clarify and compare issue areas, and public and agency commentary provided during the scoping period. Based on this review, the Site Selection Committee shortlisted three of the seven candidate sites for further consideration and analysis in this EIE process. The three shortlisted sites, in no preferential order, are the Timken, Nidec, and Kelley sites. These three sites are further evaluated in subsequent sections of this EIE. The remaining four sites have been removed from consideration in this EIE process.



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Table 2-3. Candidate Site Evaluation Matrix.

Criterion No.	CRITERIA	RATING	SITE						
			NICKERSON	TIMKEN	O & G	NIDEC	RICCI	PRAX	KELLEY
	<b>RFP Criteria</b>								
1	Does the site have a net buildable area of at least 3.75 contiguous acres on one parcel or a minimum of 2.75 contiguous acres with a 1 acre parcel within 500 feet?	Yes No (Total Acres)	Yes (5.13)	Yes (5.5)	Yes (6.5)	Yes (5.74)	Yes (3.75)	Yes (5.5)	Yes (4.14)
2	(A) Does the site have frontage on a public street or highway having (B) adequate capacity to carry courthouse traffic?	A. Yes No Unknown	Yes	Yes	Yes	Yes	Yes	Yes	Yes
		B. Yes No Unknown	Yes	Unknown	Yes	Unknown	Unknown	No	Unknown
3	(A) Is the site located in an area zoned for non-residential uses, (B) with preference given to sites within close proximity to public transportation and (C) located outside of high density residential areas?	A. Yes No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
		B. Yes No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
		C. Yes No	Yes	No	Yes	Yes	Yes	No	Yes
4	Is the site served by public utilities, including (A) water and (B) sewer systems with sufficient capacity (minimum 8-12" water main with 1500 gpm and 6-8" sewer lateral)?	A. Yes No (Size)	Yes (8")	Yes (8")	Yes (12")	Yes (6" - less than specified)	Yes (12")	Yes (10")	Yes (Unknown)
		A. Yes No (Size)	Yes (12")	Yes (8")	Yes (8")	Yes (24")	Yes (8")	Yes (8")	Yes (8")
5	Is the site reasonably free from physical encumbrances that could limit development?	Yes No	Yes	Yes	Yes	Yes	Yes	No	Yes
6	Is the site shaped and bounded in a configuration suitable for the construction of a structure containing a 30,000 SF footprint and surface parking for approximately 400 cars or a parking garage?	Yes No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
7	Does the majority of the site have slopes less than 5%?	Yes No	No	Yes	No	Yes	Yes	No	Yes
	<b>Development Cost Criteria</b>								
8	Is the property owner a willing seller?	Yes No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
9	Is the asking price reasonable?	Yes No (\$ million)							
10	What is the potential for high development costs, based on demolition (if applicable), site clearing, site cleanup (if applicable), grading, and utility services?	High Medium Low	Medium	Medium	High	High	Low	High	High
11	What is the probability of encountering environmental hazards/contamination based on existing and any known previous land uses and readily available information?	High Medium Low Unknown	Low	High	Low	High	Medium	High	High
12	Based on site information gathered or known, what is the probability the Proposed Action would create significant project delay due to regulatory approval processes?	High Medium Low Unknown	Low	Low	Low	Medium	Low	High	Medium
	<b>Land Use Criteria</b>								
13	According to the <i>Locational Guide Map of the Recommended Connecticut Conservation and Development Policies Plan (C&amp;D Plan), 2004-2009</i> , what is the site's designation?	Category	Growth Area	Regional Ctr.	Growth Area	Regional Ctr.	Growth Area	Neighborhood Conservation Area	Regional Ctr.
14	Based on the site's location, what is the probability that the Proposed Action would be <b>inconsistent</b> with the <i>State Plan of Conservation and Development and Locational Guide Map (2004-2009)</i> ?	High Medium Low	Low	Low	Low	Low	Low	Low	Low
15	Based on the site's location, what is the probability of the Proposed Action being <b>inconsistent</b> with the adopted municipal and regional plans (existing/proposed land use) at this site?	High Medium Low	Low	Low	Low	Low	Low	Low	Medium
16	Are adjacent land uses <b>compatible</b> with the Proposed Action?	Yes No	No	No	No	Yes	Yes	Yes	Yes
	<b>Infrastructure</b>								
17	Does the site have immediate public water supply access?	Yes No Unknown	Yes	Yes	Yes	Yes	Yes	Yes	Yes
18	Does the site have immediate sewer access?	Yes No Unknown	Yes	Yes	Yes	Yes	Yes	Yes	Yes
19	Can the site be designed to meet DEP stormwater management standards?	Yes No Unknown	Yes	Yes	Yes	Yes	Yes	Unknown	Yes

Table 2-3. Candidate Site Evaluation Matrix.

Criterion No.	CRITERIA	RATING	SITE						
			NICKERSON	TIMKEN	O & G	NIDEC	RICCI	PRAX	KELLEY
20	Does the site have immediate electrical service access?	Yes No Unknown	Yes	Yes	Yes	Yes	Yes	Yes	Yes
21	Does the site have immediate access to gas service?	Yes No Unknown	Unknown	Yes	Yes	Yes	No	Yes	Yes
22	Does the site have immediate access to telecommunications?	Yes No Unknown	Yes	Yes	Yes	Yes	Yes	Yes	Yes
23	Does the site border a public road(s)?	Yes No Unknown	Yes	Yes	Yes	Yes	Yes	Yes	Yes
24	Is the site serviced by existing mass transportation?	Yes No Unknown	Yes	No	Yes	No	Yes	Yes	No
25	Rights of way or easement rights, deed restrictions on site?	Yes No Unknown	No	Unknown	Unknown	Unknown	Yes	Yes	Unknown
26	Does the site have reasonable access to and from main routes?	Yes No Unknown	Yes	Yes	Yes	No	Yes	Yes	Yes
27	Do the main routes to the site exhibit any documented traffic problems?	Yes No Unknown	No	Yes	Unknown	Yes	Unknown	Yes	Yes
	<b>Natural Resources</b>								
28	What is the probability of impacting water resources (including floodplains, floodways, stream channel encroachment lines)?	High Medium Low	Low	Low	Low	Medium	Low	High	Low
29	What is the probability of impacting wetlands?	High Medium Low	Medium	Low	Low	Low	Medium	Medium	Low
30	What is the probability of impacting water quality (erosion and sedimentation)?	High Medium Low	Low	Low	Medium	Medium	Low	Medium	Low
31	What is the probability of impacting groundwater quality and resources (i.e. Aquifer Protection Area, Public/Private Wells)?	High Medium Low	Low	Low	Low	Low	Low	Low	Low
32	What is the probability of impacting endangered, threatened, or special concern species or habitats?	High Medium Low	Low	Low	Low	Low	Low	Low	Low
33	What is the probability of impacting fish and wildlife, habitats, and ecosystems (natural areas, i.e. ecologically significant/sensitive areas)?	High Medium Low	Medium	Low	High	Medium	Low	High	Low
34	What is the probability of impacting active agricultural lands and farmland soils?	High Medium Low	Low	Low	Low	Low	Low	Low	Low
	<b>Cultural Resources</b>								
35	What is the probability of impacting a historic district?	High Medium Low	Low	Low	Low	Low	Low	Low	High
36	What is the probability of impacting archaeologically sensitive areas?	High Medium Low or No Comments Submitted (NCS)	NCS	NCS	NCS	NCS	NCS	NCS	NCS
37	What is the probability of having negative effects on visual resources (aesthetic and scenic resources)?	High Medium Low Unknown	Medium	Low	High	Low	Low	High	Medium
	<b>Socioeconomics</b>								
38	Will the development of this site avoid displacing existing businesses or homes?	Yes No Unknown	Unknown	Yes	Yes	No	No	No	No
39	Is the site within easy walking distance to local services (restaurants, shops, etc.)?	Yes No Unknown	No	Yes	No	Yes	No	Yes	Yes

## **2.5 ALTERNATIVE DESIGN CONCEPTS**

Each of the three shortlisted sites presents a unique set of development strengths and weaknesses, even though all three met the RFP site criteria. An analytical tool that helps identify these specific site characteristics consists of preparing a conceptual site layout of the building, parking, access, and site amenities. These layouts also provide a visual tool upon which to define potential impacts and design issues for later phases.

It should be noted that these sketch site plans are conceptual in nature only and are not intended to present the proposed layout of the courthouse for each site, nor to restrict the design alternatives at a later date.

### **2.5.1 *Timken Site***

The total property offered at this site consists of a 2.3 acre parcel south of Clark Street with an additional 3.2 acres to the north. Both parcels abut Field Street to the west with a total frontage of about 900 linear ft. A conceptual site layout is presented on Figure 2-12.

On the southern parcel fronting Field Street is the now vacant former Timken corporate office building. The gross square footage of the building is 43,587 SF with approximate footprint dimensions of 150 ft by 150 ft. Plans of the square two-story building indicate construction in the early 1970's and a field review confirmed a high probability of reuse potential. Although the building could be demolished and the site area reused for the new courthouse, the conceptual site plan anticipates a new four story courthouse totaling 117,000 SF adjacent to the renovated existing building, thus satisfying the anticipated 160,000 SF space requirements. Similar to the existing building, the new courthouse facility would also face onto Field Street.

Clark Street could remain between the buildings with crosswalks and probably a pedestrian bridge linking the two facilities. However, a more cohesive campus style site layout could be realized if Clark Street was abandoned between Field Street and Clinton Street. Pearl Street to the south and Forest Street to the north parallel Clark and provide alternative through connections from Field Street easterly to Prospect. With the closing of this section of Clark Street, the residential neighborhood to the east would retain dual access via Clark Street, Clinton Street and Munson Avenue to Prospect Street with a U-shaped roadway layout.

A review of existing traffic patterns indicate a very light volume along Clark Street between Clinton and Field and in initial conversations with the City's Engineering and Planning and Zoning Departments, the abandonment of this section of Clark Street is considered a viable option. Thus, this Street closing was included into the conceptual layout to realize a cohesive plan on this site. A formal R.O.W. abandonment procedure, including a public hearing and vote by the City Council would be required. Current utilities within the R.O.W. would either be abandoned or located within an easement crossing the property.

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**Figure 2-12.**

Beyond the building footprints, the remaining property could accommodate the 400 parking spaces within two fields. A  $252 \pm$  space visitor parking field with dual access from Field Street would be sited north of the new courthouse. A separate  $151 \pm$  space parking field for judges and staff is sited east of both buildings. Access to the second lot would be from Field Street with a controlled access possible from Clark. Building deliveries and prisoner transportation could be accommodated within a secured area behind the new courthouse building.

### **2.5.2 Nidec Site**

The entire property offered at this site consists of a 5.16 acre parcel west of Franklin Drive as well as a 0.58 parcel on the easterly side of Franklin Drive. The larger parcel has about 750 linear feet of frontage along Franklin whereas the smaller parcel offers 350 feet. A conceptual site layout is presented on Figure 2-13.

The existing one-, two-, and three-story Nidec buildings are positioned on the larger parcel west of Franklin Drive. Although it has a fairly large footprint of approximately  $128,000 \text{ SF} \pm$ , the buildings have no probable reuse as a courthouse and would be demolished. A new  $160,000 \text{ SF}$  three story courthouse building is proposed centered on the western parcel within a footprint of  $54,000 \pm \text{ SF}$ .

The remainder of the property could then accommodate the 400 parking spaces with three at grade parking fields. A  $251 \pm$  space visitor parking field with dual access from Franklin Drive is proposed north of the building, whereas judge and staff parking is split between an 89 space field south of the building and a 61 space field to the east across Franklin Drive. A pedestrian street crosswalk could be sited with appropriate sight distances connecting the eastern parking lot with the courthouse. Separate building deliveries and prison transportation could be accommodated within a secured area to the south side of the building.

### **2.5.3 Kelley Site**

Similar to the other two shortlisted sites, the Kelley property also consists of two parcels: a  $3.06 \pm$  acre parcel fronting on both Water and Mason Streets and a 1.09 acre parcel facing Mason Street. The two parcels are separated by John Street, which connects Water Street to the south with Mason Street to the north. The site frontage on Water Street is about 250 linear ft, whereas the combined frontage on Mason Street is 600 ft in length. A conceptual site layout is presented on Figure 2-14.

The current Kelley Transit Company terminal, maintenance garages, and offices, as well as the prior train depot building are on the larger parcel to the west of John Street. No structure has reuse potential. Each would either be relocated offsite (i.e. the train depot) and/or documented and razed. The conceptual layout anticipates a new three-story courthouse totaling  $160,000 \text{ SF}$  fronting onto both Water and Mason Streets on the larger parcel.

The smaller parcel is currently a city parking lot with two contract parking agreements in place. As envisioned in the sketch plan, up to 25 surface parking spaces may be retained



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**Figure 2-13.**

**Figure 2-14.**

utilizing an adjacent driveway to continue one of these contracts, whereas the other would need to be relocated or terminated. The combined site parcels are not sufficiently large enough to accommodate 400 spaces of surface parking in addition to the 54,000 ± SF courthouse footprint. Therefore, a parking garage structure is proposed to be constructed on the smaller site.

Although a possible four-story garage could be constructed on the parcel east of John Street, a garage structure matching the courthouse of three stories could be configured on the site by closing the northern two-thirds of John Street. The remaining 150 linear ft of John Street would remain in service, providing access to an adjacent mid-block parcel and building on the east side of John Street. Current utilities within the R.O.W. would either be abandoned or located within an easement crossing the property. John Street is a low volume connector street which is parallel to the much more heavily traveled Prospect Street to the east. Water Street intersects Church Street as the alternative route to the west. Initial conversations with the City's Engineering and Planning and Zoning Departments indicate abandonment of this section of John Street is a viable option. Thus, this closing was incorporated into the conceptual layout to realize a visually balanced courthouse and parking garage height of three stories. As previously noted, a formal street abandonment process would be required.

As noted on the conceptual plan, the garage would provide 130 spaces per floor for a total of 390 spaces. Dedicated parking spaces or floors could be allocated to judges and staff, with the remaining spaces reserved for courthouse visitors. A pedestrian bridge and/or walkway would link the parking to the courthouse. An additional small surface lot accessed from Mason Street could provide supplemental spaces, most likely dedicated for judges. Building deliveries and prisoner transportation could be accommodated within a secured area on the west side of the courthouse with access from Water Street.

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